

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2013-094977

12/05/2013

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT  
C. Kiesling  
Deputy

IN RE THE MARRIAGE OF  
DIANNE JANFRUCHTE

STEPHANIE A STROMFORS

AND

NILS JANFRUCHTE

JOHN R ZARZYNSKI

FAMILY COURT SERVICES-CCC

MINUTE ENTRY

Courtroom SEF 204

Prior to the commencement of today's proceeding, Respondent's exhibits 1 through 10 are marked for identification and Petitioner's exhibits 11 through 20 are marked for identification.

2:34 p.m. This is the time set for Temporary Orders Hearing. Petitioner/Mother, Dianne Janfruchte is present and represented by above named counsel. Respondent/Father, Nils Janfruchte is present and represented by above named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Dianne Janfruchte and Nils Janfruchte are sworn.

Counsel for Petitioner advises the Court that the parties have reached an agreement regarding parenting time, on a temporary basis, which is dictated into the record in the presence of both parties and counsel and which can generally be summarized as follows:

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- The children will primarily live with Mother at the marital residence.
- Father will have parenting time every other weekend commencing Friday, after school until Sunday evening and one overnight visit each week on Wednesday, picking up the children after school on Wednesday and returning the children to school Thursday morning.
- Transportation will be provided by the receiving parent (the parent beginning his or her parenting time).
- Father will have parenting time with the children from noon on Christmas Eve until noon on Christmas Day. Mother will have parenting time with the children from noon Christmas Day until noon on December 26.
- The parents will have joint legal decision-making authority for the minor children.
- The parents will give great weight to the wishes of their teenaged children with respect to their parenting time. Neither parent will unreasonably deny the expressed wishes of those children in respect to parenting time.
- Mother shall have vacation time with the children from December 21, 2013 through December 24, 2013, returning the children at noon for Father's parenting time.

Petitioner, having previously been sworn, states that she heard the agreement stated on the record, she voluntarily entered into the agreement with the assistance of counsel and the agreement is fair and equitable and/or in the best interest of the parties' minor children.

Respondent, having previously been sworn, states that he heard the agreement stated on the record, he voluntarily entered into the agreement with the assistance of counsel and that the agreement is fair and equitable and/or in the best interest of the parties' minor children.

THE COURT FINDS that the parties have knowingly, voluntarily, and intelligently entered into a binding agreement, and that the agreement is fair and equitable and/or in the best interest of the parties' minor children and enforceable by the Court.

For the purposes of Rule 69, Arizona Rules of Family Law Procedure,

IT IS HEREBY ORDERED approving and adopting the temporary agreement of the parties entered in open Court on this day. The Court hereby approves the agreement as binding pursuant to Rule 69, Rules of Family Law Procedure.

Dianne Janfruchte, having previously been sworn, testifies.

Stipulated by the parties, exhibits 11 through 20 are received in evidence.

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Nils Janfruchte, having previously been sworn, testifies.

Stipulated by the parties, exhibits 1 through 8 are received in evidence.

3:40 p.m. The Court is in recess

3:43 p.m. The Court reconvenes with the parties and respective counsel present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The Court has considered all of the testimony and evidence and the factors under A.R.S. section 25-319, as stated on the record.

IT IS ORDERED Husband shall pay temporary spousal maintenance to Wife or the first day of each month commencing January 1, 2014 in the amount of \$6,500.00 per month through the Support Payment Clearinghouse. Husband shall also continue to pay the health insurance and auto insurance. All the other expenses of wife will be Wife's responsibility.

IT IS FURTHER ORDERED that Father shall pay to Mother as and for temporary child support the sum of \$1,286.39 per month, payable through the Support Payment Clearinghouse on the 1st day of each month commencing January 1, 2014 by direct payment.

The request for retroactive spousal maintenance and child support is denied without prejudice.

The oral request for a business valuation is denied without prejudice.

IT IS ORDERED setting a Resolution Management Conference on **March 24, 2014 at 8:30 a.m. (time allotted: 30 minutes)** before:

**The Honorable John R. Hannah  
Maricopa County Superior Court  
Southeast Judicial District  
222 East Javelina Avenue  
Courtroom 204  
Mesa, Arizona 85210**

Both parties, together with their counsel, if represented, shall appear in person, and be prepared to discuss the final resolution and, if necessary, pre-trial management of this case. IF

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ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.

MANDATORY RESOLUTION STATEMENT

IT IS FURTHER ORDERED that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), Arizona Rules of Family Law Procedure, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349. The Resolution Statement may be obtained through the Self Service Center. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/familyCourt/pdf/resolutionStmt.pdf>.

PRE-CONFERENCE SETTLEMENT MEETING

IT IS FURTHER ORDERED that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), Arizona Rules of Family Law Procedure.

DISCLOSURE

IT IS FURTHER ORDERED that both parties shall complete the initial disclosure requirements of Rule 49 or 50, Arizona Rules of Family Law Procedure (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

PARENT EDUCATION PROGRAM

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IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, un-emancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

Failure to obey this order in all respects may subject the offending party or counsel to all sanctions provided and allowed by court rule, statute or other law.

**NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.**

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Form.

3:53 p.m. Matter concludes.

IT IS FURTHER ORDERED signing this minute entry as a formal enforceable pre-judgment order of this Court.

/s/: JOHN HANNAH

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THE HONORABLE JOHN R. HANNAH  
JUDICIAL OFFICER OF THE SUPERIOR COURT

FILED: Child Support Worksheet

**PLEASE NOTE: IMPORTANT INFORMATION RE: CD/VIDEOTAPE**

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**FEE CURRENTLY IN EFFECT**

This Courtroom uses an electronic recording system for the record. All CDs and videotapes will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Forms to request a recording of a proceeding are available in the Self-Service Centers and in the FTR courtrooms.

If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least 48 hours before the commencement of the proceedings.

A person requesting a daily copy CD or videotape must complete the appropriate request form and pay the applicable fee at the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD or videotape in the customary manner.

A person wanting a copy of a hearing from a previous occasion must contact Electronic Records Services at 602-506-7100 or Ken Crenshaw at 602-506-7100.

**NOTICE:** A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter> .

Attachments:

JOHN R ZARZYNSKI: Current Employer Information, Non IV-D Payment Instructions